

Exhibit B

The following definitions apply throughout this document.

The Port of Boston is a Total Port Seniority System

Seniority is defined as service to the Longshore industry in the port of Boston with 400 credited hours per year.

One (1) week is defined as (7) days, including Saturdays and Sundays.

Hiring Hall Work Rules

1. Any person who quits a steady job is ineligible to face for another steady job for 5 days.
2. Anyone who gets laid off from a steady job may face for another steady job as soon as one becomes available.
3. Any gang or men that work past midnight have to go out of the window after gang #11 but before gang #12.
4. When a person leaves their steady gang to fill in a special job due to a shortage of skilled laborers they must, after a period of thirty (30) days, return to their steady gang or forfeit their position and seniority in their gang. They then shall be committed to said gang for ninety (90) days.
5. A notice of 48 hours is to be given to the delegate when a person has intentions to change gangs. They then shall be committed to said gang for ninety (90) days.
6. During a fill-in or pick-up a delegate is to be present to supervise, and to make sure seniority prevails at all times.
7. Anyone can use their gang seniority or advancement for any job within their gang.
Gang Seniority is defined as length of service in the gang. The person must also be qualified for the job.
8. Any new job opportunities must be put on the tape 48 hours before the pick-up. This also includes permanent steady jobs.
9. Steady workers working exclusively at the craft go out of the window after gang #11 but before gang #12.
10. All cutters are to come out of the gang on car jobs according to gang seniority.



September 1999

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rules # 1 - # 10

ENCLOSURE 5

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11. Anyone who is an up-man is an up-man all the time. If you want to change, do it Monday morning.
12. Anytime a person takes a job assignment out of the window, they are stuck with that job.
13. In the event that a ship or barge leaves a berth and goes to another berth the gang assigned shall follow, provided the same company is doing the ship.
14. In the event that a gang has not finished a ship and has orders to a new ship, they shall finish the first ship.
15. All new job opportunities shall be bid through seniority. The bid process eligibility shall be in this order: Total Port Seniority through gangs 1-9, then gang 10, then gang 11!
16. Seniority is defined as service to the Longshore Industry in the port of Boston with 400 credited hours per year back to 1945 in one (1) year increments. Any person away from the industry for more than two (2) years will lose their accrued seniority. The member's time will start new when they come back into the industry. EXCEPTIONS: Health and Welfare, Workmans Compensations and military service.
17. In the event of a layoff, ALL layoffs will be by seniority! Temporary fill-ins will be laid off before steady help.
18. Any person working at the craft exclusively who works a gang order or fill-in goes out after gang #11 but before gang #12 if they choose to work again.
19. Any gang assigned to a particular ship is assigned to that ship for seven (7) days.

I.L.A. Locals #799, #800 and #805 Boston, MA

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20. When applying for a fill-in job at the hiring hall no person may go to the window until their gang number and seniority is called. Violators will be penalized.
21. Every two (2) years the job of Financial Secretary for the Hiring Hall will be elected by the three deep water locals: #799, #800 and #805. This person must be working at the craft exclusively.
22. Any member of locals #799, #800 and #805 found to have tampered with the seniority list posted in the hiring hall will be subject to an indefinite suspension of job privileges at the Hiring Hall.
23. Any person who damages, destroys, or steals from our hiring hall will not be allowed to go out on job assignments until they make full restitution. They also will lose hiring hall privileges for six (6) months (no jobs out of the hall).
24. All members in gangs 1-11 must sign a pledge sheet and comply with it or they will be removed from their steady jobs or gang positions and suspended for up to six (6) months.
25. All members who have a grievance must go through proper channels first before bringing a lawsuit against I.L.A. or any local. (The channels are as follows. First they must go through their local, next New England Dock and Marine Council or Atlantic District Council, and then the International.)
26. Any member who interferes with a union official or appointed committee member in the performance of their Union duties can be suspended after a hearing in front of the Rules committee for a period of up to six (6) months.
27. Anyone who quits a job during the day will go behind "Gang 11" for the remainder of the day unless they have a "Gang Order".

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28. Anyone who quits a job after 5pm will be charged working until the job they are assigned to "Finishes" unless they gave a "Gang Order".
29. Anyone who misses a gang order will be classified as men who worked for the rest of the day.
30. All "New Member" will be screened by the "Rules Committee".
31. Members in "Gang 11" who work 2 consecutive years with "650" hours or more will be moved up to "Gang 10".
32. Members who have 3 consecutive years with "650" hours or more will be placed in the top 9 gangs.
33. All call back jobs will be dispatched as soon as possible. This means for all postings.
34. A delegate will be back at the Hiring Hall in case there are any fill-ins. (This means if the fill-ins are known or not known).
35. After all jobs are filled in on any vessel the Delegate will give the timekeeper the next 3 mens names who were at the hall and didn't get a job, in case there should be an unexpected job.
36. If a member wishes to move from gang 12 to gang 11, they must sign a pledge sheet and appear before the Rules Committee. They must bring sufficient proof that they are working exclusively at the craft, such as notarized retirement or resignation papers, tax returns or any other documents that are pertinent. The burden of proof rests with the bargaining unit member.

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37. The Rules Committee has jurisdiction to enforce these rules and may summon a bargaining unit member to appear before it upon notice of an asserted violation of any rule including the facts of the alleged violation to explain and show cause why they should not be subject to sanction. A sanction may be any appropriate one including removal from a gang or steady job for up to six (6) months. Failure to appear before the Rules Committee when summoned may result in a similar sanction.
38. Each local will have 2 members elected to the Rules Committee other than the President, Three men from each local a total of nine men.

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EXHIBITS 1-20

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

C.A. NO.: 04-CV-11340DPW

* * * * *

STEPHEN KEEFE,

PLAINTIFF,

VS

LOCALS 805, INTERNATIONAL

LONGSHOREMEN'S ASSOCIATION,

AFL-CIO, ET. AL,

DEFENDANTS.

* * * * *

DEPOSITION OF STEPHEN KEEFE, taken on
behalf of the Defendants, pursuant to the
applicable provisions of the Federal Rules of
Civil Procedure, before Bernadette J. D'Alelio,
Notary Public and Court Reporter within and for
the Commonwealth of Massachusetts, at the
Offices of Mullen & McGourty, 52 Temple Place,
Boston, Massachusetts, on May 8, 2006,
at 10:01 a.m., as follows:

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1 A. Yes.

2 Q. Do you still have your answers to the
3 admissions in front of you?

4 A. Yes.

5 Q. Would you turn to Page 2, please.

6 Do you see request Number 4 where it
7 says, "Rule 37 of the hiring hall work rules
8 for Local 799, 800, and 805 permits a six-month
9 suspension from a gang or steady job for a
10 member's violation of his pledge or due to his
11 failure to appear before the rules committee
12 when summoned."

13 And you admitted that in your answers;
14 is that right? I'm asking you to look at Page
15 2 of the admissions.

16 A. I know.

17 Q. You admitted that to be a correct
18 statement; is that right?

19 A. Yes.

20 Q. And so you also understood when you
21 admitted that in January of 2006 that that
22 admission was referring directly to what we've
23 now marked as Exhibit 5 as the hiring hall
24 rules, right?

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1 A. Yes.

2 Q. At the bottom of Page 2, Request
3 Number 7 on May 25, 2000, you signed a pledge
4 sheet affirming your compliance with hiring
5 hall rule 36 as it existed in May of 2000, and
6 then you answer "admitted"; is that right?

7 A. Yes.

8 Q. And then in Request Number 8 in May of
9 2000, you signed a pledge with Local 805. You
10 were working exclusively at the craft of being
11 a longshoreman. And you answered "admitted,"
12 is that right, on Page 3?

13 A. Yes.

14 MR. MAHONEY: Mark that as the
15 next exhibit, please.

16 (Exhibit-6, Pledge Dated 5/25/00,
17 marked for identification.)

18 BY MR. MAHONEY:

19 Q. We were just talking about the pledge
20 that you signed in May of 2000. I'm going to
21 show you what we now marked as Exhibit 6 to
22 this deposition and ask if that is the pledge
23 that you signed on May 25, 2000, or a copy of
24 it?

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1 A. Yes.

2 Q. When you read that, those words on
3 Exhibit Number 6, you understood them; is that
4 right?

5 A. Yes.

6 Q. Otherwise, you wouldn't have signed
7 it, right?

8 A. Yes.

9 Q. You understood the capitalized,
10 underlined phrase "working at this craft
11 exclusively," otherwise you wouldn't have
12 signed it, right?

13 A. Yes.

14 Q. John T. Clark & Son, they're contract
15 stevedores and marine terminal operators, is
16 that right, or they were?

17 A. Yes.

18 Q. What type of work did Local 805 do?

19 A. Union work.

20 Q. Are they stevedores?

21 A. No.

22 Q. They are not. Are they longshoremen?

23 A. Yes.

24 Q. What does a longshoreman do?

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1 A. A variety of things, unload ships, car
2 jobs.

3 Q. Drive cars off of ships. Anything
4 else?

5 A. Salt jobs.

6 Q. What is a salt job?

7 A. Unload salt passenger ships.

8 Q. A longshoreman works down at the dock
9 at a port, regardless of where it is, right?

10 A. Yes.

11 Q. And could you generally say that a
12 longshoreman is a laborer who will unload all
13 types of cargo from ships that is brought into
14 the port; is that right?

15 A. Yes.

16 MR. MAHONEY: Let's mark this as
17 the next exhibit, please.

18 (Exhibit-7, Letter Dated 5/24/00,
19 marked for identification.)

20 BY MR. MAHONEY:

21 Q. I'm going to show you, Mr. Keefe, what
22 we've marked as Exhibit 7 and ask if you
23 recognize this document?

24 A. Yes.

11 (Pages 38 to 41)

DUNN & GOUDREAU

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